



**CITY OF SUNNYVALE  
REPORT  
Administrative Hearing**

**January 11, 2006**

**SUBJECT:** 2005-1197 – **Kampai House** [Applicant] **Hoady Family Llc**  
[Owner]: Application for a Special Development Permit on a  
28,750 square-foot site to allow a new liquor license in  
conjunction with a restaurant use at 595 East El Camino  
Real (near S Fair Oaks Ave) in a C-2/PD (Highway  
Business/Planned Development) Zoning District. (211-01-  
039) KD

Motion Special Development Permit full liquor service without  
entertainment as part of the business operation of a  
restaurant.

**REPORT IN BRIEF**

**Existing Site Conditions** Stand Alone Sit-Down Restaurant (Former Carrow's)

**Surrounding Land Uses**

North	Apartments
South	Shopping Center across El Camino Real
East	Stand Alone Sit-Down Restaurant (Spoon's)
West	Shopping Center

**Issues** Appropriateness of Use

**Environmental Status** A Class 1 Categorical Exemption relieves this project  
from California Environmental Quality Act provisions  
and City Guidelines.

**Staff Recommendation** Approve



**PROJECT DATA TABLE**

	<b>EXISTING</b>	<b>PROPOSED</b>	<b>REQUIRED/ PERMITTED</b>
<b>General Plan</b>	Commercial General Business	Same	Commercial General Business
<b>Zoning District</b>	C-2	Same	C-2
<b>Lot Size (s.f.)</b>	28,750	Same	None min.
<b>Gross Floor Area (s.f.)</b>	5,170	Same	12,388 max.
<b>Lot Coverage (%)</b>	18	Same	35 max.
<b>Building Height (ft.)</b>	22.75	Same	75 max.
<b>Setbacks (First/Second Facing Property)</b>			
<b>Front</b>	50	Same	70 min.
<b>Left Side</b>	15	Same	0 min.
<b>Right Side</b>	20	Same	0 min.
<b>Rear</b>	70	Same	0 min.
<b>Parking</b>			
<b>Total Spaces</b>	23*	Same	51 min.
<b>Accessible Spaces</b>	2	Same	2 min.

*\*Part of shopping center parking to the west with additional parking*

**ANALYSIS****Description of Proposed Project**

The request is to expand from beer and wine alcohol service to full liquor service in conjunction a sit-down restaurant. The request does not include entertainment or creation of an exclusive bar for alcohol service within the facility.

**Background**

The applicant has requested site and building modifications under separate staff reviewed permits. The Miscellaneous Plan Permit for these changes is 2005-1202. This Special Development Permit for liquor is in relation to the specific use and does not address the site or building conditions.

**Environmental Review**

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 1 Categorical Exemptions include minor changes to existing facilities.

**Special Development Permit**

The applicant has requested full service of liquor on the premises in conjunction with the restaurant use. The facility would not include an exclusive bar for the service and consumption of alcohol, nor would the site have entitlement to or provide live entertainment.

Staff has reviewed the application and determined that a full liquor license as presented above is suitable for the area and likely to enhance the business operations of the restaurant as indicated by the applicant. The Department of Public Safety has no concerns with the use as described above. No specific impacts on adjacent properties are anticipated from the change of type of alcohol license from beer and wine to full liquor at a restaurant. Due to service within a restaurant setting, lack of entertainment, the consumption pattern and activity levels of the restaurant, including hours of operation, will continue to be typical of sit-down restaurant. Any change in use or request for live entertainment would require a revision to this Special Development Permit considered at a public hearing.

**Public Contact**

<b>Notice of Public Hearing</b>	<b>Staff Report</b>	<b>Agenda</b>
<ul style="list-style-type: none"><li>• Published in the <i>Sun</i> newspaper</li><li>• Posted on the site</li><li>• 160 notices mailed to property owners and residents adjacent to the project site</li></ul>	<ul style="list-style-type: none"><li>• Posted on the City of Sunnyvale's Website</li><li>• Provided at the Reference Section of the City of Sunnyvale's Public Library</li></ul>	<ul style="list-style-type: none"><li>• Posted on the City's official notice bulletin board</li><li>• City of Sunnyvale's Website</li><li>• Recorded for SunDial</li></ul>

No comments on the project have been received from the public.

**Conclusion**

**Findings and General Plan Goals:** Findings and General Plan Goals are located in Attachment A.

Staff was able to make the required Findings based on the justifications for the Special Development Permit .

**Recommendation**

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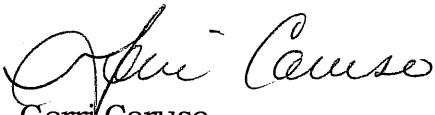
Approve with Conditions

Prepared by:



Kelly Diekmann  
Project Planner

Reviewed by:



Gerri Caruso  
Principal Planner

Attachments:

- A. Recommended Findings
- B. Site and Architectural Plans



**Recommended Findings - Special Development Permit**

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Goals and Policies that relate to this project are:

**Land Use and Transportation Element Policy C4.1** – *Maintain a diversity of commercial enterprises and industrial uses to sustain and bolster the local community.*

**Land Use and Transportation Element Policy N1.13** – *Promote an attractive and functional commercial environment.*

**Land Use and Transportation Element Policy N1.3** – *Support a full spectrum of conveniently located commercial, public, quasi-public uses that add to the positive image of the City.*

**Findings:**

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project will add a complementary service that will help make the restaurant a successful business. This will provide a compatible service to the surrounding commercial area.

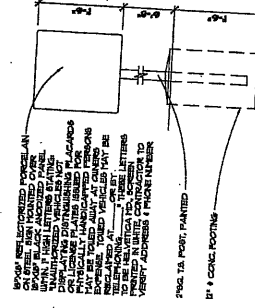
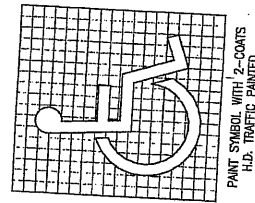
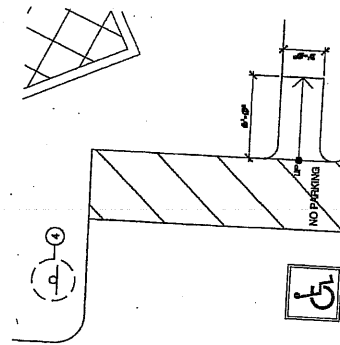
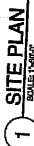
2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties.

The proposed use ensures the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties as the alcoholic sales will be ancillary to the restaurant use and not change the character of the site's use or its improvements.





DRAWING I.D.
DRAWING TITLE
PROJECT NAME
APPROVED ARCHT
DATE
CHECKED BY
STRUCTUR
Mechanical
ELECTRIC
INTERIORS
PAINTS
DRAINAGE
80%



- 
- 2 ACCESSIBLE PARKING STALL  
SCALE 1"=10'
- 3 ACCESSIBLE SIGN  
SCALE 1"=10'
- 4 ACCESSIBLE STALL SIGN  
SCALE 1"=10'
- 5 TOW AWAY SIGN  
SCALE 1"=10'

